

REMARKS

In the Office Action mailed November 18, 2005, claim 14 contains allowable subject matter; and claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. (U.S. Patent No. 6,650,491)(previously cited) in view of the Applicant's Admitted Prior Art ("AAPA") (previously cited). The foregoing objections and rejections are respectfully traversed.

Claims 9 and 14 have been cancelled without prejudice or disclaimer. Claim 13 has been amended to include the allowable subject matter of claim 14 and claim 8 has been amended to include the features of claim 9. Claims 1, 6, 7, 8, 10, 11 and 13 have been amended. Support for the amendments to claims 1, 8 and 11 can be found at paragraph [0034] of the Specification. Claims 1-8 and 10-13 are pending and under consideration. Reconsideration is respectfully requested.

Suzuki et al. nor the AAPA, individually or combined, discuss "extracting and measuring read gain characteristics while gradually varying an off-track amount in both a positive direction and a negative direction off of a centerline of a desired track; measuring an off-track amount at a place where the read error has occurred, based upon the measured read gain characteristics," as recited in amended claim 1, for example.

Instead, Suzuki et al. discusses "determining an off-track direction, where the amplitude increase by having the head section perform tracking at off-track positions in both sides of an on-track position and measuring the respective amplitude of read back signals by the head section in the vicinity of a data sector where a read data error occurs. Then, searching for an off-track position where the amplitude becomes a local maximum by shifting the head section in the off-track direction where the amplitude increases and measuring the amplitude at each off-track position (see column 4, lines 32-44). Suzuki et al. does not gradually vary the off track amount in both the positive and negative directions to determine the off-track direction. Instead, in Suzuki et al., the off-track direction is determined by having the head section perform tracking at off-track positions (i.e., predetermined off-track positions).

Further, the AAPA discusses determining whether data has been read correctly based upon the result of reading data from places offset either side of the centerline of a desired track in (+) and (-) directions by a predetermined track amount (see paragraph [0012] of the specification). Thus, the AAPA also fails to gradually vary the off track amount in both the positive and the negative direction.

Claims 8 and 11 have been amended to recite similar features as amended claim 1.

Thus, the combination of Suzuki et al. and the AAPA fails to establish a prima facie case of obviousness over the present invention.

Withdrawal of the rejection is respectfully requested.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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